

From: **Fraser Swift** <f.swift@manchester.gov.uk>

Date: Tue, 28 Jul 2020 at 21:50

Subject: Re: Premises Licence (new) application 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To: Premises Licensing <premises.licensing@manchester.gov.uk>

On behalf of the Licensing Authority, as a Responsible Authority, I am objecting to the grant of this variation application to the existing premises licence to increase the operating hours at this venue as I believe it is likely to undermine the promotion of the licensing objectives.

The Council has adopted a special policy in respect of cumulative impact and saturation for the area in which the premises is located. Their policy 'Cumulative Impact and saturation policy in respect of Fallowfield/Wilmslow Road' is set out in Section 5 of the Council's Statement of Licensing Policy 2016-21.

The effect of the special policy is that the Council will refuse applications for variation of an existing premises licence, whenever it receives relevant representation, unless an applicant can demonstrate why the operation involved will not add to the cumulative impact already being experienced." (5.7).

The policy applies to all licensable activities (5.9).

As set out in Section 5 of the Council's Statement of Licensing Policy, the reasons for the special policy approach include:

"...the policy in Fallowfield aims to prevent further alcohol-related crime and anti-social behaviour arising in the area from customers of licensed premises (including any premises that might act as a flashpoint), particularly during such hours with higher levels of crime, antisocial behaviour and hours likely to affect the ability of local residents to get a good night's sleep. Additionally the policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to ... hot food takeaway wrappers at the end of the night".

The surrounding areas of Fallowfield and Withington suffer from disproportionate levels of litter and discarded food, particularly caused by the high numbers of late night takeaways in Fallowfield typically in the residential areas and beyond the ability of the operator to contend with. Residents also suffer from noise disturbance and antisocial behaviour from people once they have left licensed premises and are returning home during the early hours of the morning and adding further late night uses risks exacerbating these local issues.

I believe that the impact of the venue as proposed carries a risk of undermining the licensing objectives and that the grant of this application would likely exacerbate the problems in the area.

It is not considered that any conditions could be imposed on the licence to enable the premises to operate to the hours applied for without adding to the cumulative impact already being experienced.

Therefore, the application should be refused, in accordance with the Council's policy, to ensure the promotion of the licensing objectives.

Fraser Swift

Principal Licensing Officer

Planning, Building Control and Licensing

Growth and Development

I am currently working from home and available by email and mobile.

Email: f.swift@manchester.gov.uk

[REDACTED]

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 247136
Name of the Premises	Dixy Chicken
Address of the premises including postcode	5A Wilbraham Road, Manchester M14 6JS

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the application for a premises licence in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises are situated on Wilbraham Road Road, Fallowfield at the junction with Wimslow Road which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically the application is seeking to allow the provision of Late Night Refreshment until 0430 hours 7 days a week.

This will undoubtedly create further noise disturbance which will obviously add to what is already being suffered by the local residents.

The Wimslow Road corridor already suffers from begging, street drinking and other anti social behaviour and to allow the premises to remain open until 0430 hours is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The littering, damage and anti social behaviour caused by late night revellers is something which the local residents have had to endure for far too long and their quality of life needs to be made the priority in all licence applications in this area.

The area where the premises are situated is now subject to a Cumulative Impact Policy, which was introduced at the end of January 2013, due to the problems in the area with night time economy related incidents.

There is therefore a presumption of refusal for all licensing applications in this area and GMP can see no reason why this should not be the case with this application. The applicant has not demonstrated how, by remaining open until such a late hour, they will not add to the cumulative impact within the area.

The applicant needs to show that their application is a genuinely exceptional case in order for the committee to depart from their own policy and there is nothing within the application that does so.

Greater Manchester Police would therefore ask that the application be refused.



Licensing & Out of Hours Compliance Team - Representation

Name	Sion Roberts
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.roberts3@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No	REF247136
Name of Premises	Dixy Chicken
Address	Unit 1, 5a Wilbraham Road, Manchester, M14 6JS

Representation

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

Licensing & Out of Hours Compliance Team (LOOHT) as the responsible authority have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for, and any potential risk that the grant of this application could lead to issues of public nuisance.

The applicant has applied for the following hours and licensable activities:

Provision of late night refreshment:
Mon to Sun 11pm to 4.30am

Opening hours:
Mon to Sun 11am to 4.30am

The existing franchise takeaway is within the boundary Of the Fallow Field/Wilmslow Road Special Policy Area.

The premises is situated on the busy Wilbraham, Wilmslow and Mosley Road Crossroad (both with traffic and pedestrians). The premises is facing the popular student licenced music/restaurant/ bar venue 256. To the left facing the premises is a late opening Shisha bar, to the right a Noodle takeaway, a licensed burger takeaway and a nearby licensed Indian restaurant.

There are residential flats above several of these existing premises, a nearby apartment block and residential housing estate 50 metres to the rear of the premises.

The majority of the premises mentioned above in the immediate vicinity are all closed by 01.30am to 2.30am, depending on week or weekends. The last to close is the burger takeaway closed by 03.00am daily. And whilst there is still transient noise from pedestrians making their way to and from other later licensed premises and the background traffic noise as this is a major crossing point road junction. The area does become significantly quieter after 03.00am.

The applicant has also been made aware that the premises is subject to relatively recent planning restrictions. In 2016 an application was refused to extended opening hours to 04.00am Mon-Sunday. Premises is currently limited to 11.00am to 3.00am Monday to Sunday

The applicant acknowledges that the premises is situated within the special policy area and whilst they have provided a fairly comprehensive operating schedule to promote the 4 licensing objectives in support of this, including those relating to nuisance, both noise and litter.

However LOOHT still feel that with the current terminal hour of 04.30am requested Monday-Sunday, this would undoubtedly lead to an additional noise nuisance being created. (Customers arriving on foot, talking loudly, laughing etc. Cars/taxis pulling up waiting for customer to collect food, car doors slamming etc.) Noise nuisance that would not normally be experienced by the immediate vicinity local residents at this time.

5.7 of the Policy states "The effect of the special policy is that the Council will refuse applications for the grant of a licence, whenever it receives relevant representation, unless an applicant can demonstrate why the operation involved will not add to the cumulative impact already being experienced".

Therefore, in respect to the current hours applied for it is submitted that this application does not rebut the presumption and should be refused, as per 5.7 of the Council's Licensing Policy.

Recommendation:

Refuse Application

From: **Councillor Jade Doswell** <cllr.jade.doswell@manchester.gov.uk>

Date: Tue, 28 Jul 2020 at 17:55

Subject: Objection to premises licence application: 47136/HH1: Dixy Chicken, 5a Wilbraham Road

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Good Evening,

I am writing on behalf of the Fallowfield Community Guardians in relation to the above licencing application.

My starting point is the Special Policy. It was established for a very good reason in this area of the City; to ameliorate the negative impact of having a high concentration of licenced premises amongst residential homes- by placing a burden upon applicants to prove they will not contribute to this detriment.

Residents frequently report to me issues of excessive litter, late night noise and ASB from the existing array of premises within the cumulative impact zone.

The application places emphasis on their ability, as an alcohol-free premises, to deal with intoxication and consequential public nuisance, crime and disorder, and public safety. However, I believe insufficient regard is paid to the ability to avoid **any** increase in public nuisance from late-night noise, and litter. This is what the Special Policy requires - **no** addition to the cumulative impact already being experienced.

The applicant notes that they will provide an increase in bins to compensate for a proposed increase in trading, and note that they have experience in this area via the Rusholme branch. These measures, along with those to combat late-night noise from delivery vehicles and visiting patrons are not sufficient to meet the burden of proof within the CIP.

The applicant has been refused a late licence for this premises three times, with the committee decisions citing, inter alia, ongoing issues with waste management and illegal trading. At the most recent decision in 2017 (reference LHP/17/46), the Committee determined that the applicant had not displayed sufficient understanding of the effect on the local residents that trading until 3am would have.

I would submit that a further increase until 4.30am will incur even greater detriment to my residents - almost certainly adding to the problems of excess littering in their neighbourhood, and late-night noise from intoxicated patrons and delivery drivers that already blight their lives.

It is for these reasons that I believe the only just outcome would be for this application to be refused in full for a 4th time, and I would ask the panel to consider these comments when making their decision.

Kind Regards

Cllr Jade Doswell

Labour Member for Fallowfield Ward

07971384773

Cllr.Jade.doswell@manchester.gov.uk

From: [REDACTED]

Date: Thu, 16 Jul 2020 at 07:27

Subject: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To: <premises.licensing@manchester.gov.uk>

Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

Dear Premises Licensing,

We would like to oppose the application for a late night take away licence for Dixy Chicken 5a Wilbraham Road. We strongly believe an extension to their licence throughout the night and early morning would considerably add to the cumulative impact of public nuisance (litter, noise etc) in the area. The area has suffered in the past from the transient noise and excessive litter that such restaurants cause. They also act as a magnet for those who buy the product and eat it outside our houses before dumping the waste outside in the street or in our gardens. A walk around the streets will show this is already a problem. Also some customers in cars will take it away, pull up outside our homes and eat as they play loud music before throwing the bagged waste out of the window. This is a recurring nuisance we suffer from. The delivery services that use these premises add to the problems and late night noise.

Extending the licence will mean we suffer from far more nuisance, far more often, for far longer.

We hope that you will reject this proposal.

Yours Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

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Premises Licensing

Growth and Development

Manchester City Council

Level 1 Town Hall Extension

Albert Square

PO Box 532

M60 2LA

Tel: 0161 234 5004 (call centre)

Email: premises.licensing@manchester.gov.uk

Web: www.manchester.gov.uk/licensing

From: [REDACTED]
Date: Thu, 16 Jul 2020 at 11:53
Subject: Dixy Chicken, 5a Wilbraham Road.
To: <premises.licensing@manchester.gov.uk>

I write to object to the proposal that the above should have extended opening hours.

As I am sure you are aware, Fallowfield has particular characteristics. It's a densely populated student area with many houses having multiple tenants. At this time of year, there is a very definite air of squalor about the neighbourhood, with alleys and gardens overflowing with rubbish as houses are emptied for the summer vacation. I can't say that Fallowfield is clean and pleasant at most other times of year either.

Fallowfield already has many food outlets, which add to the litter. Longer opening hours would mean more sales and therefore more litter. Later opening from food venues encourages more people to stay in the area or come into the area having been drinking, with associated disruptive behaviour.

I cannot feel that Fallowfield has any need of food being on sale throughout the night. Though we may be in a minority, there are still residents, especially those with children, who want (indeed who NEED) Fallowfield to have a semblance of being a residential area. I understand that no more multi-occupied houses are to be licenced which is a recognition of the problems that they can cause. It seems to me that it is contradictory and nonsensical to protect the area in this and then allow later opening hours for fast foods.

[REDACTED]

On Sun, 19 Jul 2020 at 21:32, [REDACTED] wrote:

Dear Sir/Madam,

I would like to make you aware of my strong objection to the late night licence request by Dixy Chicken at their premises in Fallowfield. Extending the licence to 04:30 gives rise to an increase in huge problems for the local area. An increase in noise issues, increased litter which could lead to issues of vermin and pest control worried. Traffic noise, pollution and parking worried. Having a late night food premises also my lead to issues of anti social behaviour and therefore be a unwanted drain on emergency services i.e Police, Ambulance services etc.

The impact on the local area is potentially horrendous and totally unacceptable.

I would welcome acknowledgement of this email and look forward to hearing from you soon.

kind regards

[REDACTED]

From: [REDACTED]
Date: Fri, 17 Jul 2020 at 21:23
Subject: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Licensing,

I'd like to object about the application for Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward).

As a Fallowfield resident this would add to our noise, antisocial behaviour, litter and traffic which is blighting our area. I have to continually litter pick in my own garden fastfood cartons that are thrown over my wall, to say nothing of the many, many that are simply dropped in the street. We are woken continually with passing pedestrian and car traffic and our residential area is generally treated as student theme park.

Please support our community and refuse this application.

Yours Faithfully,

[REDACTED]

[REDACTED]

On Sun, 19 Jul 2020 at 11:09, [REDACTED] wrote:

Dear Sirs

I wish to object to this application. There is already a serious problem with Noise & litter from takeaways in this area and this will simply add to it. The litter on Wellington Road and Sherwood Street is disgusting, and a lot of it stems from late night takeaways like this one. There are too many hot food shops already trading in the area. Late night deliveries can also cause disturbance.

They are also disingenous when they say that a number of other places in Fallowfield serving food are open until 5am. I am not currently aware of any.

Any increase in the hours they are allowed to remain open adds to the increasing urbanisation and intensification of activity in Fallowfield, and goes against the Cumulative Impact plan drawn up by the city council.

Yours Sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Date: Sat, 25 Jul 2020 at 18:20
Subject: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Your Ref: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To whom it may concern;

I am a long-term resident of [REDACTED] (since 1985) and I am objecting to the request for a license extension until 4:30am Monday > Sunday at “*Dixy Chicken*” (5a Wilbraham Road, Manchester, M14 6JS)

These premises (Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS) are situated on Wilbraham Road Fallowfield, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself on [REDACTED] and local residential properties and is also in an area where there are several bars, public houses, off licenses & takeaways and one of the largest student populations in Europe.

The extended operational hours (Until 4am 7 x days a week) would mean that the premises would be open later than nearly all other premises in the area.

This will create added noise disturbance which will obviously be extended beyond what is already being suffered on a regular basis by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other alcohol related anti-social behaviour and to allow the premises an operating window until 4am 7 x days a week will undoubtedly exacerbate these problems.

The Wilmslow Road area of Fallowfield has a Cumulative Impact Policy (What this means is that this area has been identified as one in which there is a concentration of licensed premises which is deemed maximum for an area to contain and that the hours in which premises can open and are already at the earliest and latest times acceptable for the area) the application here in this operating window

(Extension until 4am 7 x days a week) is only going to add to problems of street noise, nuisance and litter.

Manchester City Council do not create Cumulative Impact Zones lightly and quite frankly, Wilmslow Road/"Brow" area of Fallowfield does not need an operating window of this nature (4am 7 x days a week) adding to the already insufferable cacophony of noise (delivery cars coming in going, early hour inebriated patrons {mainly students} screeching and hollering etc)

I would be very grateful if you could consider these points,

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: **Fallowfield Community Guardians** [REDACTED]

Date: Fri, 24 Jul 2020 at 09:45

Subject: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Cc: Alan Isherwood <Alan.Isherwood@gmp.police.uk>, Fraser Swift <f.swift@manchester.gov.uk>, Sion Roberts <s.roberts3@manchester.gov.uk>

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians. We strongly oppose the request for a late night licence at 5a Wilbraham Road (Dixy Chicken). The reason for our objection is that it falls within the Cumulative Impact Policy area and we are convinced that despite the conditions listed, another late night take away **WILL** add to the cumulative impact in this area.

Public Nuisance

There is already an overabundance of licenced premises in Fallowfield which target the vast number of students that live in this suburb. Residents in our group have been suffering the effects of the excessive number of licenced premises for years. These create massive amounts of public nuisance due to the number of premises. Another opening until 4.30am every night is not what Fallowfield needs and we are convinced that it will add to the cumulative impact of noise and litter. How can it not? Litter will be dropped and this may not be outside the premises. Dixy litter is found all over Fallowfield already.

Fallowfield has many restaurants, take aways and bars selling food. This accounts for a high percentage of the retail units and is amongst the highest (probably is the highest) percentage in all district centres in Manchester:

McDonald's

Abduls

Saajan

Blue Cafe

Joel's Grill

Allen's Fried Chicken

Subway

Tzatziki

Dixy Chicken

Reds True BBQ

Chicken King
Nest (nightclub)
Wetherspoons
Arabian Nites
Yoyo Noodles
Burger Box
Turkiss
Krunchy Fried Chicken
Dominos
Chesters
Papa Johns
Kebab King
Kosmos
The Bar
Haus
Cremes
Desi's
Jaipur Palace
Yahala
Inferno
Friendship (pub)
Nandos
Fuzion
Dream Wok
Nayaab
256 (nightclub)

Some of the above premises have a late night licence which runs into the very early hours but many do not. The problems of noise and anti social behaviour caused by the large number of these led to the implementation of the Cumulative Impact Special Policy for Fallowfield in 2013.

Litter from Dixy Chicken is regularly seen on streets and pavements in the area. The premises have had three previous applications for a late night licence refused. We strongly

feel that there are no exceptional circumstances that would allow for a deviation from the policy. The policy recommends refusal for new licences.

Deliveries during the night already bring a lot of noise and traffic to residential streets and sometimes result in residents being woken during the night by delivery to the wrong address. Car door slamming and engine revving disturbs our sleep. There are many families living in Fallowfield who have children and the constant erosion of normal peace at night time by delivery vehicles operating from late night licensed premises means that residents (including students) often suffer sleep deprivation.

Conclusion

Residents feel that another late night take away in Fallowfield will undoubtedly add to the cumulative impact and will undermine the licensing objectives. No amount of conditions imposed will suffice to prevent adding to the impact so we ask that this application be refused in full. The cumulative impact policy needs to be upheld to ensure that Fallowfield does not suffer more public nuisance.

Yours

[REDACTED]

Community Guardian [REDACTED]

Fallowfield & Withington

From: [REDACTED]
Date: Sun, 26 Jul 2020 at 12:51
Subject: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>
[REDACTED]

Dear Premises and Licensing,

I write to object to this application.

This area is covered by a Cumulative Impact Policy so any changes in a licence must create no additional impact.

The application to extend trading hours from 11 PM to 4.30 AM every night is a substantial change and will most likely lead to an increase in littering, noise, and night-time traffic. There is already considerable street-level disturbance through the night in this area, which is already well-supplied with fast-food places opening very late (as the application notes).

Finally, I note the following discrepancy in the application:

- Other measures to deter criminal activity **will include**
 - hiring a security guard,

Additionally, we **will consider** hiring a security guard which will help deter violent behaviour and allow staff to seek immediate help

On the grounds of additional impact, and an inconsistency in the application on the level of investment in security being proposed, I request that this application be refused.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Date: Tue, 28 Jul 2020 at 13:47
Subject: Premises License(new) 247136/HH1: Dixey Chicken, M14 6JS
To: <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]
[REDACTED]

To whom it may concern.

This, if agreed, has serious implications. Refusal is paramount. This application is about opportunities and greed.

There are standard but legitimate reasons for refusal - litter, noise, ASB. However let us look at the broader picture.

1 This is a fast-food outlet, and there are far too many in our area, indeed throughout the city. They, and reinforced by current Whitehall moves, are a serious contributor to obesity (we as residents need know what precisely is our Council's approach to such outlets: the need for employment? the financial burden of excess refuse? health concerns? etc.) hence a huge burden on the NHS.

2 ALCOHOL. Dixey Chicken already sells alcohol. GMP for years have called for more restrictions following increasing levels of violence and ASB over the years. This is a nation that is incapable, as once suggested, of being 'continental' in its approach to this substance. There seems to be a free-for-all concerning alcohol sales and it seems to be out of control.

Even one fast-food outlet with enhanced hours for the sale of alcohol will further fuel alcohol addiction, violent behaviour, increase cases of brain damage, memory loss, liver disease, heart disease, throat and stomach cancer. All this means it is an ever increasing burden on the NHS, hardly the appropriate conditions with Winter 'flu approaching and Covid-19. Council really has to decide whether the 'alcohol economy' is the right strategy.

Dismiss the application without a further thought.

[REDACTED]

[REDACTED]

From: [REDACTED]
Date: Tue, 28 Jul 2020 at 21:14
Subject: Re: Premises Licence (new) 247136/HH1 - Dixy Chicken 5a Wilbraham Road Manchester M14 6JS (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

Please find attached below my objection to the above Premises Licence application -247136/HH1 in respect of a "variation" to extend the opening times of the Dixy Chicken outlet at 5a Wilbraham Road, Fallowfield until 4:00 am, 7 days a week.

Many thanks,

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

28th July 2020

By email: premises.licensing@manchester.gov.uk

Dear Sir/Madam

Re: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)

I live on [REDACTED], Fallowfield, just around the corner from these premises and would like to object to the above planning application on the following grounds:

The prevention of crime and disorder:

1. Fallowfield has a well-documented record of drink & drug fuelled violence, noise nuisance & antisocial behaviour which led to a **Cumulative Impact Policy** being implemented in 2012 in an attempt to try and curb crime and disorder in the area. Sadly for the long-suffering residents, there has been no tangible improvement, with noise nuisance, vandalism, littering, ASB and violent assault worse than ever.

Dixy Chicken's premises are situated on Wilbraham Road which [REDACTED] in the Fallowfield Brow neighbourhood close to Owens Park Halls of Residence. The area is saturated with Student HMO's (houses in multiple occupation), with few remaining family homes, resulting in an unbalanced, unhealthy, unsustainable demographic. However, outside the immediate Owens Park vicinity, is Fallowfield's residential area, home to a broad mix of families, workers, young professionals, elderly & retired residents.

The large student population in Fallowfield has been subject to a number of targeted attacks by muggers, drug pushers and criminal gangs often late at night or in the early hours of the morning. Allowing **Dixy Chicken** which is already licensed until 11:00 pm to remain open to serve takeaway food until 4 o'clock in the morning 7 days a

week is likely to add to the problem by attracting dubious characters and gangs late into the night and early morning seeking to prey on drunk and vulnerable victims making their way home, and further adding to the crime and disorder that already consumes the area.

2. I assume that the “prevention of crime and disorder” also extends to the “business practices” being conducted at Takeaway premises? If, so it’s of note that a Director of the **Dixy Chicken** outlet on Wilbraham Road has previously been prosecuted for the theft of £50,000 in a VAT fraud case brought by HMRC. It is inconceivable that Manchester Licensing would seek to “enable” a firm that has previously defrauded the tax authorities - to increase its opening hours and bolster its profits by granting it an extension, with no guarantee that criminal activity by the company could not re-occur in the future?

<https://manchestergazette.co.uk/manchester-takeaway-owner-sentenced-for-50k-vat-theft/1633>

The prevention of public nuisance:

1. Fallowfield is plagued by ongoing “noise nuisance, vandalism, crime and antisocial behaviour” linked to local pubs and takeaways, and transient noise from groups of revellers going to and from venues every night of the week, blighting residents’ lives.

There is also the issue of litter and refuse from takeaways, eateries and bars including discarded alcohol bottles and containers, takeaway cartons, and food debris being dumped on footpaths and streets. Alongside the extra night-time patrols to deal with antisocial behaviour, noise nuisance and crime in Fallowfield, the area also requires extra cleaning and refuse collections to deal with the disproportionate levels of litter, from the high numbers of late-night takeaways. So, the last thing local people need is **Dixy Chicken** operating until 4:00 am seven days a week, resulting in even more rowdy, inebriated, antisocial, groups roaming the streets throughout the night and early hours, discarding their food and drink cartons and debris on our streets, leaving residents and council taxpayers to suffer further public nuisance and ASB resulting in even more sleep disturbance than we already experience.

2. **Manchester’s Licensing Policy 2016-2021** in relation to the Littering issue states:

https://www.manchester.gov.uk/download/downloads/id/19905/statement_licensing_policy_2016_to_2021.pdf

Additionally, the [Cumulative Impact] Special Policy aims to prevent premises that are likely to contribute to litter problems in the area, particularly in relation to preloading en route to licensed premises, and hot food takeaway wrappers at the end of the night. The aims of the policy are to reduce levels of crime and antisocial behaviour within the areas, especially those that are alcohol-related and during the early hours of the morning.

And its guidance on the issuing and variation of “**all licensable activities**” advises:

- 5.7 The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.

3. On a final point which I’m not sure fits the Licensing definition of “**Public Safety**”- but certainly appertains more broadly to “**Public Health & Safety**” - I would like to highlight that:

- There is a growing Obesity crisis in the UK with 63% of adults in England being overweight or living with obesity – and 1 in 3 children leaving primary school overweight or obese. Obesity-related illnesses cost the NHS £6 billion a year.
- Yet, there are currently **19 Late Night Fast Food Takeaways** alone within a 1-mile radius of Fallowfield shopping centre, most of which are open until 11:00pm -12 midnight or later, 7 days a week. This shocking figure does not include the other bars, restaurants and eateries within close proximity that also sell takeaway food. The Wilmslow Road “Student Corridor” is full of these outlets selling high-calorie, high-fat, high-sugar, stodge and the graphic below from 2015 (which will be worse now) clearly illustrates that Fallowfield has a disproportionately higher number of takeaways than other District Centres. It is disgraceful that the vast majority of shops in a so called “District Centre” are greasy, unhealthy, fast-food, Takeaways selling food with little nutritional or dietary benefit.

5.1 The figure below shows the results of the three district centre surveys in 2009, 2013 and 2015 and the percentage of hot food takeaways in each centre.

% Hot Food Takeaways in District Centres

District Centre	2000 (%)	2011 (%)	2015 (%)
Baplay	5	6	7
Chesham Hill	6	7	8
Crofton	7	8	9
Didsbury	3	4	5
Edinboro	8	13	19
Falkirk	28	30	30
Gorton	5	6	7
Harpurhey	1	2	3
Hume	3	6	13
Levenshulme	9	11	12
Longlight	6	10	11
Newton Heath	7	14	12
Northenden	9	10	11
Osneyr	10	10	8
Rugby	15	15	17
Widgerton	4	5	6
Wythenshawe	1	2	3
All	8	9	9

- 3.2 Supporting the health and wellbeing of residents is a priority for Manchester City Council and it is recognised that through its wide range of functions, the Council is well placed to contribute towards creating healthier environments for all residents. The planning system is just one area in which local government can act, however it should be considered as part of a whole systems approach to promoting healthy lifestyles and tackling obesity. Getting the young people of Manchester off to the best start is a key priority for the Manchester Joint Health and Wellbeing Strategy and through working with partners, communities and commissioned services, the aim is to deliver an integrated strategy in promoting healthy eating, physical activity, tackling obesity and addressing the wider determinants of health.*



- In light of Manchester City Council's above commitment to prioritise the health and wellbeing of its residents, it seems completely contradictory that at the same time it continues to grant licences and extensions to the plethora of fast-food Takeaways in Fallowfield, allowing them to continue selling food and drink that is so harmful to people's health. And at a time when the Government & Public Health England have launched a strategy to tackle obesity in relation to fighting Covid-19.

I believe that **Dixy Chicken** has previously applied to extend its opening hours but was refused and I would respectfully urge the Licensing Committee to again refuse this Licence Variation application for the reasons set out above, and to protect the “health, safety and wellbeing” of both the long-suffering residents in the local neighbourhood and also the wider Fallowfield area.

Yours sincerely

11/11/2016

From: Sherwood TRA [REDACTED]
Date: Tue, 28 Jul 2020 at 19:23
Subject: Re: Premises Licence (new) 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS, (Fallowfield ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Cllr Jade Doswell <cllr.jade.doswell@manchester.gov.uk>, Councillor Ali Ilyas <cllr.ali.ilyas@manchester.gov.uk>, Cllr Zahra Alijah <cllr.z.aliyah@manchester.gov.uk>

Dear Sir/Madam

Re: 247136/HH1 Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS

I write on behalf of the residents of the Sherwood Estate, Fallowfield regarding this latest application for this takeaway to trade until 4.30am throughout the week which we once again we oppose. This is the 4th time we will have objected to these premises being licenced to trade until late into the night.

As long term residents living so close to Fallowfield District Centre we see on a daily basis the litter left from our nearby takeaways. Dixy Chicken is very close to our estate and many users of this takeaway pass by our homes on foot. We were extremely surprised to hear from Sue Hare who attended a previous Hearing for a Licensing Application on 31.5.16 that the Applicant was unaware that our estate is at the rear of his premises. This is despite the family houses being clearly visible directly behind these premises together with the sound of children playing.

There are many families living on the northern side of our estate who have children with ages ranging from 0 – 18 suffering from disturbed sleep which is particularly noticeable during University term times, this is because transient noise travels from Wilbraham/Wilmslow Road area of Fallowfield District Centre bars and takeaways. The majority of businesses trading within FDC operate late into the night and despite the Applicant's points to mitigate adding to the cumulative effects Sherwood residents are not reassured. He refers to premises he operates in Rusholme District Centre but these two district centres are very different to each other, notwithstanding FDC being covered by a CIP, whereas RDC being mainly food led establishments with FDC having mainly late night bars/clubs which target the student market.

We are concerned that should this Licence be granted, with hours as applied for, it will increase night time noise disturbance by having yet another takeaway open until up to 4.30am and providing late night deliveries. Due to drivers using satnavs to locate addresses we are constantly disturbed in the early hours by drivers ringing our doorbells due to our postcodes and lack of good road signage taking them to the incorrect address. I note from the application *"Any deliveries as part of the operation to business will be carried out in such a manner as to prevent nuisance and disturbance to the nearby public, for example delivering at appropriate times"*. Sherwood residents do not consider deliveries after 11pm to be appropriate times.

Neighbours have told me how they see delivery drivers using the front of these premises, which adds to the congestion of this busy junction, together with customers who drive to pick up their food and park on the narrow pavement. Nayaab car park is also used which again disturbs residents who live on Redmere Grove which is closest to the businesses on Wilbraham Road along with those living at the far end of Boland Drive.

We fully support the Objection written by [REDACTED] Community Guardian [REDACTED] who goes into much greater detail as to why this application should be refused with the applied for trading hours.

Due to these premises being situated in an area covered by a Cumulative Impact Policy we can see no merit in permitting these premises to trade until 4.30am and respectfully ask that this application is refused in full.

Yours faithfully

[REDACTED]

[REDACTED] Sherwood TRA

Community Guardian

[REDACTED]

[REDACTED]

From: [REDACTED]

Date: Mon, 27 Jul 2020 at 00:11

Subject: New Premises Licence 247136/HH1 Dixy Chicken, 5a Wilbraham Road, Manchester M14 6JS

To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sirs/Madam,

Re: New Premises Licence 247136/HH1: Dixy Chicken, 5a Wilbraham Road, Manchester, M14 6JS

I am writing on behalf of SEFRG (South East Fallowfield Residents Group) and we would like to object in the strongest terms to the granting of a new licence at this location which is in a Cumulative Impact Policy area. The applicant is well aware that these premises are in a CIP (I believe this is the fourth application from this outlet) and the reason for this special policy is because there is evidence which clearly shows that the number of licensed premises in this area have caused - and continue to cause - significant problems in relation to the licensing objectives. The CIP states that there should be no new licences granted unless it can be shown that they will not add to the cumulative impact. There is no doubt at all, in our minds, that a takeaway business operating at this time of night will have a further negative impact on our area.

Fallowfield is a residential neighbourhood and yet the number of licensed premises are at city/town centre levels. The reason behind this is not due to any great demand from local people for licensed premises but because these businesses are mainly aimed at the very large student population. We can see from the licensing panel's previous decisions that Dixy Chicken is no exception. Obviously the business hopes to attract late night custom from students who live locally and are returning from the local bars/clubs, or from visiting friends. We know from experience that these customers are often under the influence of alcohol and/or other substances - especially at this time of night - and, as such, they are much more likely to drop takeaway litter on their way home. In addition, students often go out in mixed groups and so they are much noisier than lone customers or couples.

Local residents, including students, are regularly disturbed by noise throughout the night and this has a very negative impact on our mental and physical health; it is not an exaggeration to say that we are sometimes woken up several times a night by noisy groups of people walking down our street. Apart from the noise, we have to endure extreme levels of litter, much of which comes from the local takeaway businesses - including Dixy Chicken - and the council have to provide extra street cleaning services to deal with the problem. In spite of this, we still wake up to litter strewn streets and I find it particularly sad that children growing up around here have to negotiate rubbish on a daily basis and must view this as normal.

Recently we have had several young families moving into our area which has been very heartening and we are all working extremely hard to foster a balanced community here - we have established a strong local support group which has been very important to people during the pandemic but

repeatedly we hear that people are fed up with the noise, litter and ASB in this area. I am writing this on a Sunday morning (before 11am) and I have just seen a local resident litter picking our street. This is not an uncommon sight. I have never lived in an area where local residents try so hard to improve their environment whether it be litter picking, planting tree bases or supporting neighbours in whatever way they can but we need help!

We really fear that unless firm action is taken by the various authorities to deal with these issues, we will lose yet more local people. We understand the council would also like to encourage balanced, mixed neighbourhoods and create 'neighbourhoods of choice' and we believe that upholding the Cumulative Impact Policy in our area is one of the effective ways we can achieve this.

We therefore urge you to reject this application in full, there are no licensing conditions which can be implemented to prevent further problems.

Yours sincerely,



On behalf of SEFRG